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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/672,723	CRAPP ET AL.	
	Examiner	Art Unit	
	Michael J. Hicks	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 July 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-83 and 98-111* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-83 and 98-111* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-83 and 98-111 Pending.

Claims 84-97 Canceled.

Response to Arguments

2. Applicant's arguments, see response, filed 7/14/2006, with respect to the rejection(s) of claim(s) 1, 21, 37, 56, and 66 under USC 102 in view of Knott have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Knot in view of Murase.

In regards to Claims 1, 21, 37, 56, and 66, Applicant presents four main arguments which Examiner will address.

Firstly, in regards to Applicants assertion that the limitation of populating at least a portion of the second script with at least some of the first portion of data is not taught by Knott. Examiner agrees that this limitation is missing from the teachings of Knott, as was noted in the previous office action, however the previous office action also noted that the limitation was taught by Murase (e.g. see the rejection of Claims 13 in the previous office action). As this is the case, all claims previously rejected under USC 102 in view of Knott which have had the limitation of populating at least a portion of the

second script with at least some of the first portion of data added via the present amendment will be rejected under USC 103 in view of Knott in view of Murase.

Secondly, in regards to Applicants assertion that Knott does not teach the limitation of after associating the client with a second data collection mechanism, collecting from the client a second portion of data using a second script that comprises at least one query for information not yet presented to the client by the first script, with the objection that all data collection is done by IVR 10. Applicant uses the same objection to assert that Knott fails to teach associating the client and at least a portion of the second portion of data, collected by the second data collection mechanism, with the first data collection mechanism to facilitate the collection of a third portion of data using the first script. Examiner would like to note that IVR 10 is a reference to the data collection system of Knott as a whole, and that the data collection mechanisms that Examiner was referencing in the previous office action were the collection/menu nodes. Each menu/collection node can be considered to be a separate collection mechanism, possibly with a different method of collection, and which runs a different collection script, and a user may be passed between several menu/collection nodes. Also note that the failure to enter information or the completion of entering information can be considered an event which would trigger the association with the second data collection device.

Thirdly, Applicant asserts that Knott fails to disclose the use of a live agent to facilitate the collection of information. Applicant respectfully disagrees. Knott teaches

that in response to an event in the automated data collection (e.g. the failure to enter information) the client is forwarded to an operator (e.g. live agent) for individual handling. Examiner asserts that the term "individual handling" strongly implies that the live agent/operator is going to collect information from the client using at least one query that has not yet been presented to the client. Furthermore, the use of a script by an operator is well known.

Fourthly, Applicant asserts that Knott does not teach the limitation that the first and second portions of data are stored in a memory commonly accessible to the first and second data collection mechanisms. Examiner respectfully disagrees. In the text expert the query for the caller area is one data collection mechanism (collection node) with a first script. The user input of the user are acts as the collected information from the first mechanism. In order for the menu node (e.g. second collection mechanism) to correctly populate the a list of services specific to the users area in the second. It must have access to the collected data from the first collection mechanism (e.g. the user are information). Likewise the data collected from the second data collection mechanism is then used by a third collection mechanism to present a list of types of information about the service that was selected. This shows that the collected data is stored in a memory which is accessible to all of the data collection mechanisms, as all of the data collection mechanisms in the cited example have access to the data collected by previous data collection mechanisms.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 37-41, 43-45, 47, 49-53, 56-60, 63-64, 66-68, 70-75, 77, 79-80, 82-83, 105-106, and 108-110 rejected under 35 U.S.C. 102(b) as being anticipated by Knott et al (U.S. Pre-Grant Publication Number 2004/0161078 and referred to hereinafter as Knott).

As per Claim 37, Knott discloses a method for providing data collection from a client at a data collection mechanism (i.e. *"A speech-recognition enabled, interactive voice response system presents an adaptable menu to callers to obtain information over a telephone with speech or touch-tone DTMF inputs."* The preceding text excerpt clearly indicates a data collection mechanism to collect data from a client/caller at a data collection mechanism/ over a telephone.) (Page 1, Paragraph 15), the method comprising: collecting from a client a first portion of data using a first data collection mechanism using at least a portion of a first script comprising one or more queries for information to the client (i.e. *"After the greeting, the process proceeds to step 28 where the caller is instructed to "Please identify your task," followed by a pause to allow an opening statement utterance. IVR 10 then lists the menu options and an associated DTMF tone in a predetermined order, such as in the order of frequency of the requests by callers."* The preceding text excerpt clearly indicates that a first script/menu is presented to the caller/client presenting a query for information about the request of the caller/client. The callers/clients response/utterance/tone/a first portion of data is then collected from the caller.) (Page 3, Paragraph 23); associating the client with

a second data collection mechanism based at least in part on an event associated with the client's interaction with the first data collection mechanism (i.e. *"IVR 10 determines the category of the task associated with the caller's request for information and forwards the caller to a menu node associated with the task."* The preceding text excerpt clearly indicates that the caller is forwarded to a second data collection mechanism/menu node associated with the callers/clients response to the first data collection mechanism.) (Page 3, Paragraph 33.); and after associating the client with the second data collection mechanism, collecting from the client a second portion of data using a second script (i.e. *"At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that a second portion of data is collected from the user pertaining to the service that was selected in the previous data collection mechanism. Note that this is done using a second script and comprises at least one query that was not asked in the first script (e.g. requesting the caller/client to identify the specific information requested from about the selected service).) (Page 4, Paragraph 37), wherein the first portion of data and the second portion of data are stored in a common memory accessible to the first and second data collection mechanisms (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that the first and second portions of data are stored in common memory accessible to the first and second data collection mechanisms due to the fact that the second data collection mechanism uses the first portion of data in order to generate the second script and therefor must have access to it.) (Page 4, Paragraph 37).

As per Claim 38, and 106, Knott discloses the first data collection mechanism comprises an interactive voice response system (i.e. *"IVR 10 provides a voice menu that directs callers to input information requests through either a voice response or a touch-tone response."* The preceding text excerpt clearly indicates that the first data collection mechanism may be an interactive voice response system.) (Page 2, Paragraph 18).

As per Claims 39, 67, and 109, Knott discloses the second data collection mechanism comprises a live agent (i.e. *"If a caller is unable to receive information from the automated responses of IVR 10, then the caller is forwarded to an operator 16 interfaced with IVR 10 for individual handling."* The preceding text excerpt clearly indicates that the second data collection mechanism may be a live agent.) (Page 2, Paragraph 17).

As per Claim 40, Knott discloses the second data collection mechanism comprises an interactive voice response system (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that the second data collection mechanism is an interactive voice response system (IVR).) (Page 4, Paragraph 37).

As per Claims 41, and 68, Knott discloses the first script comprises an interactive voice response script capable of speech recognition (i.e. *"Analysis of opening statements*

made by callers identifies tasks of callers upon initial contact and relates the tasks to information classifications. The adaptable menu nodes allow callers to navigate quickly to desired information by applying voice recognition to caller inputs responsive to an initial prompt for the caller's task...IVR 10 provides a voice menu that directs callers to input information requests through either a voice response or a touch-tone response." The preceding text excerpt clearly indicates that the first script may comprise an interactive voice response system with speech/voice recognition.) (Page 1, Paragraph 15; Page 2, Paragraphs 15, 18).

As per Claims 43, 57, and 70, Knott discloses the first script comprises a plurality of queries (i.e. *"At step 52, the caller is requested to input the service of interest and the caller's area code or state. For instance, a script instructs the caller to state a service for which information is available, such as call blocking, caller ID, message center and call forwarding, or to input a DTMF tone of 1 through 4 with each tone associated with a service. The caller is also instructed to input an area code or state since service offerings may vary by calling area. The area code and state information may be input by a caller utterance or by using the phone keypad."* The preceding text excerpt clearly indicates that the first script may comprise a plurality of queries (e.g. identification of serve, area code, and/or state.) (Pages 3-4, Paragraph 35).

As per Claims 44, 58, and 71, Knott discloses the first portion of data comprises answers in response to the queries associated with the first script (i.e. *"At step 30, IVR 10 accepts the caller input, determines the menu node selected by the caller input and advances the input to task analyzer 20 for classification of the task requested by the caller."* The preceding text excerpt clearly indicates that the first portion of data/user response is an answer in response to the queries associated with the first script/menu.) (Page 3, Paragraph 32).

As per Claims 45, 59, and 72, Knott discloses the first portion of data comprises queries and answers associated with the first script (i.e. *"At step 30, IVR 10 accepts the caller input, determines the menu node selected by the caller input and advances the input to task analyzer 20 for classification of the task requested by the caller."* The preceding text excerpt clearly indicates that the first portion of data/user response is an answer in response to the queries associated with the first script/menu. Note that the task analyzer must also receive the query associated with the first script in order to analyze the response in light of the query.) (Page 3, Paragraph 32).

As per Claims 47, 60, 77, and 110, Knott discloses the second script comprises a second plurality of queries that are substantially similar to a first plurality of queries associated with the first script (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that the second script comprises a plurality of queries (e.g. the options for multiple types of information) which are substantially similar to the first plurality of queries in that they are also menu selections and are based upon the information received in regards to the first plurality of queries).) (Page 4, Paragraph 37).

As per Claim 49, Knott discloses the second script is based at least in part on a portion of the first script used to collect the first portion of data (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by*

either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service." The preceding text excerpt clearly indicates the second script is based at least in part on the first script in that it gives options for types of information available in the same menu-based manner as the first script and based on the answers from the first script.) (Page 4, Paragraph 37).

As per Claims 52, and 63, Knott discloses the second script is based at least in part on a portion of the first script used to collect the first portion of data (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates the second script is based at least in part on the first script in that it gives options for types of information available in the same menu-based manner as the first script and based on the answers from the first script.) (Page 4, Paragraph 37) and comprises at least one query for information not yet presented to the client by the first script (i.e. *"At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that a second portion of data is collected from the user pertaining to the service that was selected in the previous data collection mechanism. Note that this is done using a second script and comprises at least one query that was not asked in the first script (e.g. requesting the caller/client to identify the specific information requested from about the selected service).) (Page 4, Paragraph 37).

As per Claims 53, and 64, Knott discloses associating the client and the second portion of data back with the first data collection mechanism to collect a third portion of data using the first script (i.e. *"IVR accepts the caller input, determines the menu node selected by the caller input and advanced the input to the task analyzer for classification of the task requested by the caller...IVR determines the category of the task associated with the callers request for information and forwards the caller to a menu node associated with the task...advances callers to menu node associates with tasks based on either the DTMF tone or utterance input of the user."* The preceding text excerpt clearly indicates that the menu node (e.g. data collection mechanism) to which the caller is forwarded depends on the callers/clients request for all data collection mechanisms. Therefore, at the second data collection mechanism, if the second data portion/utterance/DTMF tone indicated that the caller/client desired to go to the first menu node/data collection mechanism, the task analyzer would determine this and the caller/client and second portion of data would be associated back to the first menu/data collection mechanism which would collect another menu choice/utterance/third portion of data using the first script of the first data collection mechanism.) (Page 3, Paragraphs 32-34).

As per Claim 56, Knott discloses a method for providing data collection from a client at a data collection mechanism (i.e. *"A speech-recognition enabled, interactive voice response system presents an adaptable menu to callers to obtain information over a telephone with speech or touch-tone DTMF inputs."* The preceding text excerpt clearly indicates a data collection mechanism to collect data from a client/caller at a data collection mechanism/ over a telephone.) (Page 1, Paragraph 15), the method comprising: collecting from a client a first portion of data using an automated data collection mechanism using at least a portion of a first script comprising one or more queries for information to the client (i.e. *"After the greeting, the process proceeds to step 28 where the caller is instructed to "Please identify your task," followed by a pause to allow an opening statement utterance. IVR 10 then lists the menu options and an associated*

DTMF tone in a predetermined order, such as in the order of frequency of the requests by callers." The preceding text excerpt clearly indicates that a first script/menu is presented to the caller/client presenting a query for information about the request of the caller/client. The callers/clients response/utterance/tone/a first portion of data is then collected from the caller.) (Page 3, Paragraph 23); associating the client with a live agent based at least in part on an event associated with the client's interaction with the automated data collection mechanism (i.e. *"If a caller is unable to receive information from the automated responses of IVR 10, then the caller is forwarded to an operator 16 interfaced with IVR 10 for individual handling."* The preceding text excerpt clearly indicates that the client caller may be associated with a live agent in response to an event (e.g. not being able to receive information) associated with the first script.) (Page 2, Paragraph 17); and after associating the client with the live agent, collecting from the client a second portion of data using a second script (i.e. *"At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that a second portion of data is collected from the user pertaining to the service that was selected in the previous data collection mechanism. Note that this is done using a second script and comprises at least one query that was not asked in the first script (e.g. requesting the caller/client to identify the specific information requested from about the selected service). Note that after the live agent completes the first script, the client caller may then be forwarded into the automated second script or continue the second script with the live agent.) (Page 4, Paragraph 37), wherein the first portion of data and the second portion of data are stored in a common memory accessible to the automated collection mechanisms and the live agent (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select*

desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service." The preceding text excerpt clearly indicates that the first and second portions of data are stored in common memory accessible to the first and second data collection mechanisms due to the fact that the second data collection mechanism uses the first portion of data in order to generate the second script and therefor must have access to it.) (Page 4, Paragraph 37).

As per Claim 66, Knott discloses a method for providing data collection from a client at a data collection mechanism (i.e. *"A speech-recognition enabled, interactive voice response system presents an adaptable menu to callers to obtain information over a telephone with speech or touch-tone DTMF inputs."* The preceding text excerpt clearly indicates a data collection mechanism to collect data from a client/caller at a data collection mechanism/ over a telephone.) (Page 1, Paragraph 15), the method comprising: collecting from a client a first portion of data using a first data collection mechanism using at least a portion of a first script comprising one or more queries for information to the client (i.e. *"After the greeting, the process proceeds to step 28 where the caller is instructed to "Please identify your task," followed by a pause to allow an opening statement utterance. IVR 10 then lists the menu options and an associated DTMF tone in a predetermined order, such as in the order of frequency of the requests by callers."* The preceding text excerpt clearly indicates that a first script/menu is presented to the caller/client presenting a query for information about the request of the caller/client. The callers/clients response/utterance/tone/a first portion of data is then collected from the caller.) (Page 3, Paragraph 23); associating the client with a second data collection mechanism based at least in part on an event associated with the client's interaction with the first data collection mechanism (i.e. *"IVR 10 determines the category of the task associated with the caller's request for information and forwards the caller to a menu node associated with the task."* The preceding text excerpt clearly indicates that the caller is forwarded to

a second data collection mechanism/menu node associated with the callers/clients response to the first data collection mechanism.) (Page 3, Paragraph 33.); after associating the client with the second data collection mechanism, collecting from the client a second portion of data, the second portion of data comprising a plurality of answers of the client in response to one or more queries of the second data collection mechanism (i.e. *"At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that a second portion of data is collected from the user pertaining to the service that was selected in the previous data collection mechanism. Note that this is done using a second script and comprises at least one query that was not asked in the first script (e.g. requesting the caller/client to identify the specific information requested from about the selected service).) (Page 4, Paragraph 37), and associating the client and at least some of the second portion of data with the first data collection mechanism to facilitate collection of a third portion of data using the first script (i.e. *"IVR accepts the caller input, determines the menu node selected by the caller input and advanced the input to the task analyzer for classification of the task requested by the caller...IVR determines the category of the task associated with the callers request for information and forwards the caller to a menu node associated with the task...advances callers to menu node associates with tasks based on either the DTMF tone or utterance input of the user."* The preceding text excerpt clearly indicates that the menu node (e.g. data collection mechanism) to which the caller is forwarded depends on the callers/clients request for all data collection mechanisms. Therefore, at the second data collection mechanism, if the second data portion/utterance/DTMF tone indicated that the caller/client desired to go to the first menu node/data collection mechanism, the task analyzer would determine this and the caller/client and second portion of data would be associated back to the first menu/data collection mechanism which would collect another

menu choice/utterance/third portion of data using the first script of the first data collection mechanism.) (Page 3, Paragraphs 32-34).

As per Claim 73, Knott discloses the second portion of data is collected using a second script (i.e. *"At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that a second portion of data is collected from the user pertaining to the service that was selected in the previous data collection mechanism. Note that this is done using a second script and comprises at least one query that was not asked in the first script (e.g. requesting the caller/client to identify the specific information requested from about the selected service).) (Page 4, Paragraph 37).

As per Claim 74, Knott discloses the second script comprises at least one query for information not yet presented to the client by the first script (i.e. *"At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that a second portion of data is collected from the user pertaining to the service that was selected in the previous data collection mechanism. Note that this is done using a second script and comprises at least one query that was not asked in the first script (e.g. requesting the caller/client to identify the specific information requested from about the selected service).) (Page 4, Paragraph 37).

As per Claim 75, Knott discloses the second script is substantially similar to the first script (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that the second script comprises a plurality of queries (e.g. the options for multiple types of information) which are substantially similar to the first plurality of queries in that they are also menu selections and are based upon the information received in regards to the first plurality of queries).) (Page 4, Paragraph 37).

As per Claim 79, Knott discloses the second portion of data comprises one or more answers of the client in response to one or more queries of the second data collection mechanism (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that the second portion of data/user response to the second set of queries comprises answers to one or more queries presented in the second set of queries (e.g. the users menu selection).) (Page 4, Paragraph 37).

As per Claim 80, Knott discloses the first portion of data and the second portion of data are stored in common memory accessible to the first data collection mechanism

and the second data collection mechanism (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that the first and second portions of data are stored in common memory accessible to the first and second data collection mechanisms due to the fact that the second data collection mechanism uses the first portion of data in order to generate the second script and therefor must have access to it.) (Page 4, Paragraph 37).

As per Claim 82, Knott discloses initiating the data exchange comprises generating a call from outside the data collection mechanism (i.e. "Callers establish communication with IVR 10 by, for instance, placing a telephone call with telephones 14 through PSTN 12 to a predetermined telephone number associated with IVR 10." The preceding text excerpt clearly indicates that the data exchange is initiated by placing a call from a telephone, which may be inside or outside the data collection mechanism.) (Page 2, Paragraph 18).

As per Claim 83, Knott discloses initiating the data exchange comprises generating a call from within the data collection mechanism (i.e. "Callers establish communication with IVR 10 by, for instance, placing a telephone call with telephones 14 through PSTN 12 to a predetermined telephone number associated with IVR 10." The preceding text excerpt clearly indicates that the data exchange is initiated by placing a call from a telephone, which may be inside or outside the data collection mechanism.) (Page 2, Paragraph 18).

As per Claim 105, Knott discloses a system capable of providing data collection from a client at a data collection mechanism (i.e. *"A speech-recognition enabled, interactive voice response system presents an adaptable menu to callers to obtain information over a telephone with speech or touch-tone DTMF inputs."* The preceding text excerpt clearly indicates a data collection mechanism to collect data from a client/caller at a data collection mechanism/ over a telephone.) (Page 1, Paragraph 15), comprising: a first data collection mechanism operable to collect from a client a first portion of data using at least a portion of a first script comprising one or more queries for information to the client (i.e. *"After the greeting, the process proceeds to step 28 where the caller is instructed to "Please identify your task," followed by a pause to allow an opening statement utterance. IVR 10 then lists the menu options and an associated DTMF tone in a predetermined order, such as in the order of frequency of the requests by callers."* The preceding text excerpt clearly indicates that a first script/menu is presented to the caller/client presenting a query for information about the request of the caller/client. The callers/clients response/utterance/tone/a first portion of data is then collected from the caller.) (Page 3, Paragraph 23); a second data collection mechanism operable to collect from the client a second portion of data using a second script, the second portion of data composing a plurality of answers of the client in response to one or more queries of the second script (i.e. *"IVR 10 determines the category of the task associated with the caller's request for information and forwards the caller to a menu node associated with the task...At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that the caller is forwarded to a second data collection mechanism/menu node associated with the callers/clients response to the first data collection mechanism, and a second portion of data is collected, the data comprising client answers to a plurality of questioned presented in a second script.) (Page 3, Paragraph 33; Page 4, Paragraph 37), wherein the

client is associated with the second data collection mechanism based at least in part on an event associated with the client's interaction with the first data collection mechanism (i.e. *"IVR 10 determines the category of the task associated with the caller's request for information and forwards the caller to a menu node associated with the task."* The preceding text excerpt clearly indicates that the caller is forwarded to a second data collection mechanism/menu node associated with the callers/clients response to the first data collection mechanism.) (Page 3, Paragraph 33.), wherein the client and at least some of the second portion of data are associated with the first data collection mechanism to facilitate collection of a third portion of data using the first script (i.e. *"IVR accepts the caller input, determines the menu node selected by the caller input and advanced the input to the task analyzer for classification of the task requested by the caller...IVR determines the category of the task associated with the callers request for information and forwards the caller to a menu node associated with the task...advances callers to menu node associates with tasks based on either the DTMF tone or utterance input of the user."* The preceding text excerpt clearly indicates that the menu node (e.g. data collection mechanism) to which the caller is forwarded depends on the callers/clients request for all data collection mechanisms. Therefore, at the second data collection mechanism, if the second data portion/utterance/DTMF tone indicated that the caller/client desired to go to the first menu node/data collection mechanism, the task analyzer would determine this and the caller/client and second portion of data would be associated back to the first menu/data collection mechanism which would collect another menu choice/utterance/third portion of data using the first script of the first data collection mechanism.) (Page 3, Paragraphs 32-34).

As per Claim 108, Knott discloses Knott discloses the first data collection mechanism comprises a live agent (i.e. *"If a caller is unable to receive information from the automated responses of IVR 10, then the caller is forwarded to an operator 16 interfaced with IVR 10 for*

individual handling." The preceding text excerpt clearly indicates that the first data collection mechanism may be a live agent.) (Page 2, Paragraph 17).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-2, 4-6, 8-10, 12-19, 21-22, 24-26, 28-35, 48, 54, 61, 65, 78, 98-99, 101-104, and 111 rejected under 35 U.S.C. 103(a) as being unpatentable over Knott in view of Murase et al. (U.S. Pre Grant Publication Number 2003/0092976 and referred to hereinafter as Murase).

As per Claim 1, Knott discloses a method for providing data collection from a client at a data collection mechanism (i.e. *"A speech-recognition enabled, interactive voice response system presents an adaptable menu to callers to obtain information over a telephone with speech or touch-tone DTMF inputs."* The preceding text excerpt clearly indicates a data collection mechanism to collect data from a client/caller at a data collection mechanism/ over a telephone.) (Page 1, Paragraph 15), the method comprising: collecting from a client a first portion of data using a first data collection mechanism using at least a portion of a first script comprising one or more queries for information to the client (i.e. *"After the greeting, the process proceeds to step 28 where the caller is instructed to "Please identify your task," followed by a pause to allow an opening statement utterance. IVR 10 then lists the menu options and an associated DTMF tone in a*

predetermined order, such as in the order of frequency of the requests by callers." The preceding text excerpt clearly indicates that a first script/menu is presented to the caller/client presenting a query for information about the request of the caller/client. The callers/clients response/utterance/tone/a first portion of data is then collected from the caller.) (Page 3, Paragraph 23); associating the client with a second data collection mechanism based at least in part on an event associated with the client's interaction with the first data collection mechanism (i.e. *"IVR 10 determines the category of the task associated with the caller's request for information and forwards the caller to a menu node associated with the task."* The preceding text excerpt clearly indicates that the caller is forwarded to a second data collection mechanism/menu node associated with the callers/clients response to the first data collection mechanism.) (Page 3, Paragraph 33.); and after associating the client with the second data collection mechanism, collecting from the client a second portion of data using a second script, wherein the second script comprises at least one query for information not yet presented to the client by the first script (i.e. *"At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that a second portion of data is collected from the user pertaining to the service that was selected in the previous data collection mechanism. Note that this is done using a second script and comprises at least one query that was not asked in the first script (e.g. requesting the caller/client to identify the specific information requested from about the selected service).) (Page 4, Paragraph 37);

Knott fails to disclose populating at least a portion of the second script with at least some of the first portion of data.

Murase discloses populating at least a portion of the second script with at least some of the first portion of data (i.e. *"After these basic data are inputted, a question is posed as to the present health condition of the patient...Through these steps, the diagnostic device searches, as*

shown in Fig.7, for the name of a disease corresponding to the headache...Next, a second stage questionnaire is outputted for collection of data on headache..." The preceding text excerpt clearly indicates that the first portion of data is used to populate, at least in part, the second script (e.g. in order to collect further data about headaches, as referenced, the second script must contain questions referencing headaches, therefore using the term 'headache' from the first portion of data to populate queries for the second script).) (Page 3, Paragraphs 37-38).

It would have been obvious to one skilled in the art at the time of applicants invention to modify the teachings of Knott with the teachings of Murase populating at least a portion of the second script with at least some of the first portion of data with the motivation of providing an interactive means of collecting data in which the questions posed are not predetermined, but depend on the answers given to an earlier posed question (Murase, Page 1, Paragraph 9).

As per Claim 2, and 99, Knott discloses the first data collection mechanism comprises an interactive voice response system (i.e. *"IVR 10 provides a voice menu that directs callers to input information requests through either a voice response or a touch-tone response."* The preceding text excerpt clearly indicates that the first data collection mechanism may be an interactive voice response system.) (Page 2, Paragraph 18).

As per Claim 4, and 101, Knott discloses the first data collection mechanism comprises a live agent (i.e. *"If a caller is unable to receive information from the automated responses of IVR 10, then the caller is forwarded to an operator 16 interfaced with IVR 10 for individual handling."* The preceding text excerpt clearly indicates that the first data collection mechanism may be a live agent.) (Page 2, Paragraph 17).

As per Claim 5, and 102, Knott discloses the second data collection mechanism comprises a live agent (i.e. *"If a caller is unable to receive information from the automated responses of IVR 10, then the caller is forwarded to an operator 16 interfaced with IVR 10 for individual handling."* The preceding text excerpt clearly indicates that the second data collection mechanism may be a live agent.) (Page 2, Paragraph 17).

As per Claims 6, and 22, Knott discloses the first script comprises an interactive voice response script capable of speech recognition (i.e. *"Analysis of opening statements made by callers identifies tasks of callers upon initial contact and relates the tasks to information classifications. The adaptable menu nodes allow callers to navigate quickly to desired information by applying voice recognition to caller inputs responsive to an initial prompt for the caller's task...IVR 10 provides a voice menu that directs callers to input information requests through either a voice response or a touch-tone response."* The preceding text excerpt clearly indicates that the first script may comprise an interactive voice response system with speech/voice recognition.) (Page 1, Paragraph 15; Page 2, Paragraphs 15, 18).

As per Claims 8, and 24, Knott discloses the first script comprises a plurality of queries (i.e. *"At step 52, the caller is requested to input the service of interest and the caller's area code or state. For instance, a script instructs the caller to state a service for which information is available, such as call blocking, caller ID, message center and call forwarding, or to input a DTMF tone of 1 through 4 with each tone associated with a service. The caller is also instructed to input an area code or state since service offerings may vary by calling area. The area code and state information may be input by a caller utterance or by using the phone keypad."* The preceding text excerpt clearly indicates that the first script

may comprise a plurality of queries (e.g. identification of serve, area code, and/or state.) (Pages 3-4, Paragraph 35).

As per Claims 9, and 25, Knott discloses the first portion of data comprises answers in response to the queries associated with the first script (i.e. *"At step 30, IVR 10 accepts the caller input, determines the menu node selected by the caller input and advances the input to task analyzer 20 for classification of the task requested by the caller."* The preceding text excerpt clearly indicates that the first portion of data/user response is an answer in response to the queries associated with the first script/menu.) (Page 3, Paragraph 32).

As per Claims 10, and 26, Knott discloses the first portion of data comprises queries and answers associated with the first script (i.e. *"At step 30, IVR 10 accepts the caller input, determines the menu node selected by the caller input and advances the input to task analyzer 20 for classification of the task requested by the caller."* The preceding text excerpt clearly indicates that the first portion of data/user response is an answer in response to the queries associated with the first script/menu. Note that the task analyzer must also receive the query associated with the first script in order to analyze the response in light of the query.) (Page 3, Paragraph 32).

As per Claims 12, 28, and 103, Knott discloses the second script comprises a second plurality of queries that are substantially similar to a first plurality of queries associated with the first script (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF*

selection. For instance, the caller is presented with four types of information for the identified service." The preceding text excerpt clearly indicates that the second script comprises a plurality of queries (e.g. the options for multiple types of information) which are substantially similar to the first plurality of queries in that they are also menu selections and are based upon the information received in regards to the first plurality of queries).) (Page 4, Paragraph 37).

As per Claims 13, 29, 48, 61, 78, 104, and 111, Knott fails to disclose marking the first script at a query where the client was associated with the second data collection mechanism; and associating the first portion of data with the second data collection mechanism, the first portion of data comprising one or more answers of the client associated with one or more queries presented by the first script.

Murase discloses marking the first script at a query where the client was associated with the second data collection mechanism (i.e. *"After these basic data are inputted, a question is posed as to the present health condition of the patient...Through these steps, the diagnostic device searches, as shown in Fig.7, for the name of a disease corresponding to the headache...Next, a second stage questionnaire is outputted for collection of data on headache..."* The preceding text excerpt clearly indicates that the first script is marked at the point where the information is going to be associated with the second data collection mechanism in order to perform a search on the data input at that point in the script.) (Page 3, Paragraphs 37-38); associating the first portion of data with the second data collection mechanism, the first portion of data comprising one or more answers of the client associated with one or more queries presented by the first script (i.e. *"After these basic data are inputted, a question is posed as to the present health condition of the patient...Through these steps, the diagnostic device searches, as shown in Fig.7, for the name of a disease corresponding to the headache...Next, a second stage questionnaire is outputted for collection of*

data on headache..." The preceding text excerpt clearly indicates that the first portion of data is associated with (e.g. used in) the second data collection mechanism, the first portion of data including one or more answers from the client associated with the queries from the first script (e.g. health condition of the patient).) (Page 3, Paragraphs 37-38).

It would have been obvious to one skilled in the art at the time of applicants invention to modify the teachings of Knott with the teachings of Murase to include marking the first script at a query where the client was associated with the second data collection mechanism; associating the first portion of data with the second data collection mechanism, the first portion of data comprising one or more answers of the client associated with one or more queries presented by the first script with the motivation of providing an interactive means of collecting data in which the questions posed are not predetermined, but depend on the answers given to an earlier posed question (Murase, Page 1, Paragraph 9).

As per Claims 14, and 30, Knott discloses the second script is based at least in part on a portion of the first script used to collect the first portion of data (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates the second script is based at least in part on the first script in that it gives options for types of information available in the same menu-based manner as the first script and based on the answers from the first script.) (Page 4, Paragraph 37).

As per Claims 15, 31, 50, and 62, Knott discloses the second portion of data comprises one or more answers of the client in response to one or more queries of the second data collection mechanism (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that the second portion of data/user response to the second set of queries comprises answers to one or more queries presented in the second set of queries (e.g. the users menu selection).) (Page 4, Paragraph 37).

As per Claims 16, 32, and 51, Knott discloses the second script is generated by one of the data collection mechanisms (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that the script is generated by the second data collection mechanism based on the first portion of data (e.g. the second script is not the same for all first portions of data, and the information presented by the second data collection mechanism in the second script is based upon the first response).) (Page 4, Paragraph 37).

As per Claims 17, and 33, Knott discloses the first portion of data and the second portion of data are stored in common memory accessible to the first data collection mechanism and the second data collection mechanism (i.e. *"At step 58, IVR 10 retrieves the service information available for the area input by the caller. For instance, service offerings and functionality may vary based on service areas. At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that the first and second portions of data are stored in common memory accessible to the first and second data collection mechanisms due to the fact that the second data collection mechanism uses the first portion of data in order to generate the second script and therefor must have access to it.) (Page 4, Paragraph 37).

As per Claims 18, and 34, Knott discloses associating the client and the second portion of data back with the first data collection mechanism to collect a third portion of data using the first script (i.e. *"IVR accepts the caller input, determines the menu node selected by the caller input and advanced the input to the task analyzer for classification of the task requested by the caller...IVR determines the category of the task associated with the callers request for information and forwards the caller to a menu node associated with the task...advances callers to menu node associates with tasks based on either the DTMF tone or utterance input of the user."* The preceding text excerpt clearly indicates that the menu node (e.g. data collection mechanism) to which the caller is forwarded depends on the callers/clients request for all data collection mechanisms. Therefore, at the second data collection mechanism, if the second data portion/utterance/DTMF tone indicated that the caller/client desired to go to the first menu node/data collection mechanism, the task analyzer would determine this and the caller/client and second portion of data would be associated back to the first menu/data collection

mechanism which would collect another menu choice/utterance/third portion of data using the first script of the first data collection mechanism.) (Page 3, Paragraphs 32-34).

As per Claims 19, 35, 54, and 65, Knott fails to disclose associating the first portion of data with the second data collection mechanism and populating at least a portion of the second script with the first portion of data.

Murase discloses associating the first portion of data with the second data collection mechanism (i.e. *"After these basic data are inputted, a question is posed as to the present health condition of the patient...Through these steps, the diagnostic device searches, as shown in Fig.7, for the name of a disease corresponding to the headache...Next, a second stage questionnaire is outputted for collection of data on headache..."* The preceding text excerpt clearly indicates that the first portion of data is associated with (e.g. used in) the second data collection mechanism.) (Page 3, Paragraphs 37-38) and populating at least a portion of the second script with the first portion of data (i.e. *"After these basic data are inputted, a question is posed as to the present health condition of the patient...Through these steps, the diagnostic device searches, as shown in Fig.7, for the name of a disease corresponding to the headache...Next, a second stage questionnaire is outputted for collection of data on headache..."* The preceding text excerpt clearly indicates that the first portion of data is used to populate, at least in part, the second script (e.g. in order to collect further data about headaches, as referenced, the second script must contain questions referencing headaches, therefore using the term 'headache' from the first portion of data to populate queries for the second script).) (Page 3, Paragraphs 37-38).

It would have been obvious to one skilled in the art at the time of applicants invention to modify the teachings of Knott with the teachings of Murase to include associating the first portion of data with the second data collection mechanism and

populating at least a portion of the second script with the first portion of data with the motivation of providing an interactive means of collecting data in which the questions posed are not predetermined, but depend on the answers given to an earlier posed question (Murase, Page 1, Paragraph 9).

As per Claim 21, Knott discloses a method for providing data collection from a client at a data collection mechanism, the method comprising (i.e. *"A speech-recognition enabled, interactive voice response system presents an adaptable menu to callers to obtain information over a telephone with speech or touch-tone DTMF inputs."* The preceding text excerpt clearly indicates a data collection mechanism to collect data from a client/caller at a data collection mechanism/ over a telephone.) (Page 1, Paragraph 15): collecting from a client a first portion of data using an automated data collection mechanism using at least a portion of a first script comprising one or more queries for information to the client (i.e. *"After the greeting, the process proceeds to step 28 where the caller is instructed to "Please identify your task," followed by a pause to allow an opening statement utterance. IVR 10 then lists the menu options and an associated DTMF tone in a predetermined order, such as in the order of frequency of the requests by callers."* The preceding text excerpt clearly indicates that a first script/menu is presented to the caller/client presenting a query for information about the request of the caller/client. The callers/clients response/utterance/tone/a first portion of data is then collected from the caller.) (Page 3, Paragraph 23); associating the client with a live agent based at least in part on an event associated with the client's interaction with the automated data collection mechanism (i.e. *"If a caller is unable to receive information from the automated responses of IVR 10, then the caller is forwarded to an operator 16 interfaced with IVR 10 for individual handling."* The preceding text excerpt clearly indicates that the client caller may be associated with a live agent in response to an event (e.g. not being able to receive information)

associated with the first script.) (Page 2, Paragraph 17); and after associating the client with the live agent, collecting a second portion of data from the client using a second script, wherein the second script comprises at least one query for information not yet presented to the client by the first script (i.e. *"At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that a second portion of data is collected from the user pertaining to the service that was selected in the previous data collection mechanism. Note that this is done using a second script and comprises at least one query that was not asked in the first script (e.g. requesting the caller/client to identify the specific information requested from about the selected service). Note that after the live agent completes the first script, the client caller may then be forwarded into the automated second script or continue the second script with the live agent.) (Page 4, Paragraph 37).

Knott fails to disclose populating at least a portion of the second script with at least some of the first portion of data.

Murase discloses populating at least a portion of the second script with at least some of the first portion of data (i.e. *"After these basic data are inputted, a question is posed as to the present health condition of the patient...Through these steps, the diagnostic device searches, as shown in Fig.7, for the name of a disease corresponding to the headache...Next, a second stage questionnaire is outputted for collection of data on headache..."* The preceding text excerpt clearly indicates that the first portion of data is used to populate, at least in part, the second script (e.g. in order to collect further data about headaches, as referenced, the second script must contain questions referencing headaches, therefore using the term 'headache' from the first portion of data to populate queries for the second script).) (Page 3, Paragraphs 37-38).

It would have been obvious to one skilled in the art at the time of applicants invention to modify the teachings of Knott with the teachings of Murase populating at least a portion of the second script with at least some of the first portion of data with the motivation of providing an interactive means of collecting data in which the questions posed are not predetermined, but depend on the answers given to an earlier posed question (Murase, Page 1, Paragraph 9).

As per Claim 98, Knott discloses a system capable of providing data collection from a client at a data collection mechanism (i.e. *"A speech-recognition enabled, interactive voice response system presents an adaptable menu to callers to obtain information over a telephone with speech or touch-tone DTMF inputs."* The preceding text excerpt clearly indicates a data collection mechanism to collect data from a client/caller at a data collection mechanism/ over a telephone.) (Page 1, Paragraph 15), comprising: a first data collection mechanism operable to collect from a client a first portion of data using at least a portion of a first script comprising one or more queries for information to the client (i.e. *"After the greeting, the process proceeds to step 28 where the caller is instructed to "Please identify your task," followed by a pause to allow an opening statement utterance. IVR 10 then lists the menu options and an associated DTMF tone in a predetermined order, such as in the order of frequency of the requests by callers."* The preceding text excerpt clearly indicates that a first script/menu is presented to the caller/client presenting a query for information about the request of the caller/client. The callers/clients response/utterance/tone/a first portion of data is then collected from the caller.) (Page 3, Paragraph 23); a second data collection mechanism operable to collect from the client a second portion of data using a second script (i.e. *"IVR 10 determines the category of the task associated with the caller's request for information and forwards the caller to a menu node associated with the task."* The preceding text excerpt

clearly indicates that the caller is forwarded to a second data collection mechanism/menu node associated with the callers/clients response to the first data collection mechanism.) (Page 3, Paragraph 33.); wherein the client is associates with the second data collection mechanism based at least in part on an event associated with the clients interaction with the first data collection mechanism (i.e. *"IVR 10 determines the category of the task associated with the caller's request for information and forwards the caller to a menu node associated with the task."* The preceding text excerpt clearly indicates that the caller is forwarded to a second data collection mechanism/menu node associated with the callers/clients response to the first data collection mechanism.) (Page 3, Paragraph 33.); and wherein the second script comprises at least one query for information not yet presented to the client by the first script (i.e. *"At step 60, a script presents the caller with the types of information available for the selected service and instructs the caller to select desired information by either a voice utterance or DTMF selection. For instance, the caller is presented with four types of information for the identified service."* The preceding text excerpt clearly indicates that a second portion of data is collected from the user pertaining to the service that was selected in the previous data collection mechanism. Note that this is done using a second script and comprises at least one query that was not asked in the first script (e.g. requesting the caller/client to identify the specific information requested from about the selected service).) (Page 4, Paragraph 37).

Knott fails to disclose populating at least a portion of the second script with at least some of the first portion of data.

Murase discloses populating at least a portion of the second script with at least some of the first portion of data (i.e. *"After these basic data are inputted, a question is posed as to the present health condition of the patient...Through these steps, the diagnostic device searches, as shown in Fig.7, for the name of a disease corresponding to the headache...Next, a second stage questionnaire is outputted for collection of data on headache..."* The preceding text excerpt clearly indicates that the first portion of data is used to populate, at least in part, the second script (e.g. in order

to collect further data about headaches, as referenced, the second script must contain questions referencing headaches, therefore using the term 'headache' from the first portion of data to populate queries for the second script).) (Page 3, Paragraphs 37-38).

It would have been obvious to one skilled in the art at the time of applicants invention to modify the teachings of Knott with the teachings of Murase populating at least a portion of the second script with at least some of the first portion of data with the motivation of providing an interactive means of collecting data in which the questions posed are not predetermined, but depend on the answers given to an earlier posed question (Murase, Page 1, Paragraph 9).

5. Claims 3, 7, 11, 23, 27, 42, 46, 69, 76, 100, and 107, rejected under 35 U.S.C. 103(a) as being unpatentable over Knott in view of Murase, as above, in further view of Feinberg et al. ("Designing and Developing Surveys on WWW Sites", Proceedings of the 16th International Conference on Computer Documentation, ACM, Sept. 1998 and referred to hereinafter as Feinberg).

As per Claims 3, 100, and 107, Knott and Murase fail to disclose the first data collection mechanism comprises an interactive web-based system.

Feinberg discloses the first data collection mechanism comprises an interactive web-based system (i.e. *"The types of surveys being conducted on the internet fall into three categories: surveys that determine who is using the WWW, surveys that determine customer satisfaction with the product or service, and the newest type of survey that collects research data."* The preceding text

excerpt clearly indicates the scripts may be implemented on the internet, in HTML form, in order to collect research data.) (Page 38, Abstract).

It would have been obvious to one skilled in the art at the time of applicants invention to modify the teachings of Knott with the teachings of Feinberg to include the first data collection mechanism comprises an interactive web-based system with the motivation of describing new directions for surveys and technical considerations for the retrieval and storage of survey responses.

As per Claims 7, 23, 42, and 69, Knott and Murase fail to disclose the first script comprises an HTML-based script.

Feinberg discloses the first script comprises an HTML-based script (i.e. *"The types of surveys being conducted on the internet fall into three categories: surveys that determine who is using the WWW, surveys that determine customer satisfaction with the product or service, and the newest type of survey that collects research data."* The preceding text excerpt clearly indicates the scripts may be implemented on the internet, in HTML form, in order to collect research data.) (Page 38, Abstract).

It would have been obvious to one skilled in the art at the time of applicants invention to modify the teachings of Knott with the teachings of Feinberg to include the first script comprises an HTML-based script with the motivation of describing new directions for surveys and technical considerations for the retrieval and storage of survey responses.

As per Claims 11, 27, 46, and 76, Knott and Murase fail to disclose the second script comprises an HTML-based script.

Feinberg discloses the second script comprises an HTML-based script (i.e. *"The types of surveys being conducted on the internet fall into three categories: surveys that determine who is using the WWW, surveys that determine customer satisfaction with the product or service, and the newest type of survey that collects research data."* The preceding text excerpt clearly indicates the scripts may be implemented on the internet, in HTML form, in order to collect research data.) (Page 38, Abstract).

It would have been obvious to one skilled in the art at the time of applicants invention to modify the teachings of Knott with the teachings of Feinberg to include the second script comprises an HTML-based script with the motivation of describing new directions for surveys and technical considerations for the retrieval and storage of survey responses.

6. Claims 20, 36, 55, and 81 rejected under 35 U.S.C. 103(a) as being unpatentable over Knott in view Murase, as above, in further view of Dewan (U.S. Patent Number 6,654,447).

As per Claims 20, 36, 55, and 81, Knott discloses populating at least a portion of the first script with the second portion of data collected at the second data collection mechanism (i.e. *"Menu 18 presents voice responses to callers to request input of and to address the specific caller task, such as the specific service and associated information requested by the caller, based upon the analysis of the frequency of requests for the specific task."* The preceding text excerpt clearly indicates that the menu is updated to reflect the frequency of tasks chosen by clients/callers. This indicates that choices made frequently in regards to the second plurality of queries may then be presented (e.g. populated into) a portion of the first script.) (Page 2, Paragraph 19).

Knott and Murase fail to disclose generating an assistance signal in response to the event associated with the client; marking the first script at a point where the assistance signal was generated.

Dewan discloses generating an assistance signal in response to the event associated with the client (i.e. *"According to one embodiment of the present invention, a system for pausing a session with a voice response unit is disclosed. The system includes an interface that establishes a session. A processor pauses the session in response to receiving a pause signal."* The preceding text excerpt clearly indicates that a pause signal/assistance signal is generated in response to an event associated with the client (e.g. the client pauses the session).) (Column 1, Lines 35-39); marking the first script at a point where the assistance signal was generated (i.e. *"A state engine determines as interrupted state of the session at which the processor pauses the session."* The preceding text excerpt clearly indicates that the first script is marked as a point where the assistance signal was generated (e.g. the state of the session at the time of signal generation is saved).) (Column 1, Lines 39-41).

It would have been obvious to one skilled in the art at the time of applicants invention to modify the teachings of Knott with the teachings of Dewan to include generating an assistance signal in response to the event associated with the client; marking the first script at a point where the assistance signal was generated with the motivation of enable workflow to be used to direct the actions of a voice response unit.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Hicks whose telephone number is (571) 272-2670. The examiner can normally be reached on Monday - Friday 8:30a - 5:00p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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